

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

ESTATE OF MICHAEL )	4:06CV3087
WONDERCHECK, BY BETH )	
WONDERCHECK, PERSONAL )	
REPRESENTATIVE, )	
) )	
Plaintiff, ) )	
) )	
v. ) )	<b>MEMORANDUM AND ORDER</b>
) )	
STATE OF NEBRASKA, JOHN DOE, )	
INDIVIDUALLY AND IN HIS )	
CAPACITY AS STATE TROOPER )	
OF THE NEBRASKA STATE )	
PATROL; CITY OF GERING, )	
CITY OF BAYARD, AND SCOTTS )	
BLUFF COUNTY; JAMES JACKSON, )	
INDIVIDUALLY AND IN HIS )	
CAPACITY AS A POLICE OFFICER )	
FOR THE CITY OF GERING; )	
KRIS STILL, TRENT ZWICKL, )	
MARK BLISS, AND DEPUTY )	
PERKINS, IN THEIR INDIVIDUAL )	
AND OFFICIAL CAPACITIES AS )	
DEPUTIES FOR SCOTTS BLUFF )	
COUNTY; Z. DOUGLASS, )	
INDIVIDUALLY AND IN HIS )	
CAPACITY AS POLICE OFFICER )	
FOR THE CITY OF BAYARD, NE., )	
) )	
Defendants. ) )	

This matter is before the court on a motion by the City of Gering for partial summary judgment on the claim against it brought under the Security, Privacy, and Dissemination of Criminal History Information Act, Neb. Rev. Stat. Ann. §§ 29-209, 29-210, 29-3520 to 29-3528 (LexisNexis 2003), and 81-1423 (LexisNexis 2005) (the “Criminal History Information Act” or the “Act”).

In a November 7, 2006 order, I denied Plaintiff's motion for summary judgment against the City of Gering on this same claim. (Filing 56.) In that order, I noted that if City had filed a cross-motion for summary judgment on the Criminal History Information Act claim I would have granted the motion.

For the reasons set forth in my November 7, 2006 order (filing 56), I will grant the City's motion for partial summary judgment on the Criminal History Information Act claim.

Accordingly,

IT IS ORDERED:

1. The City of Gering's motion for partial summary judgment on the Criminal History Information Act claim against it (filing 57) is granted; and
2. Entry of judgment will be withheld until the remaining claims are resolved.

December 15, 2006

BY THE COURT:

*s/Richard G. Kopf*  
United States District Judge